IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 2ND JANUARY 2007 / 12TH POUSHA 1928

Bail Appl..No. 7636 of 2006(N)

AGAINST THE ORDER DATED 11/12/2006 IN ORDER IN CMP.1750/2006 of DISTRICT COURT, THALASSERY

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: PETITIONER/IST ACCUSED

NOUSHAD K., S/O.HAMZA,
AGED 25 YEARS, KURUDANTAKATH HOUSE,
AZHIKODE P.O., KANNUR DISTRICT.

BY ADV. SRI.SUNIL V.MOHAMMED
SRIP.K.NOUSHAD

RESPONDENTS: STATE/COMPLAINANT

THE STATE OF KERALA,
REP. BY THE C.I. OF POLICE,
VALAPATTANAM POLICE STATIN, THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. K.S. SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 7636 of 2006

DATED: 2nd January, 2007

O R D E R

Petitioner who is the Ist accused in Crime No. 578 of 2006 of Valapattanam Police STation for offences punishable under Sections 324 and 326 read with Sec. 354 I.P.C. , seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The case of the prosecution is that at about 5.45 a.m. on 30-11-2006 petitioner along with three others out of their enmity towards the de facto complainant assaulted him with weapons including iron pipe causing grievous injuries which including two fractures.

4. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail within 10 days from today, the same shall be considered and disposed of preferably on the same date on which it is filed.

With the above observation this application is dismissed.

Sd/-V.RAMKUMAR,
JUDGE.

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